

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

KRISTEN PETRICK, et al.,  
Plaintiffs,  
v.  
STARS BAY AREA, INC,  
Defendant.

Case No. 19-cv-03105-VKD  
\*SEALED\*

**ORDER TO UNSEAL AND SERVE  
THE COMPLAINT**

The United States and the State of California have declined to intervene in this action pursuant to the False Claims Act, 31 § U.S.C. 3703(b)(4)(B), and the California False Claims Act, Cal. Gov't Code § 12652(c)(6)(B). Dkt. No. 9. Accordingly, the Court orders as follows:

1. The complaint in this action (Dkt. No. 1), the United States and State of California's Notice of Election to Decline Intervention (Dkt. No. 9), and this Order shall be unsealed;
2. The relator shall serve all the documents identified in paragraph 1 of this Order on the defendants;
3. All other matters occurring in this action after the date of this Order shall be not be sealed, unless the Court so orders;
4. Counsel for the United States and for the State of California shall file notices of appearance in this action if they have not already done so for the purpose of receiving ECF notifications of all pleadings and motions filed in this action, as provided for in 31 U.S.C. § 3730(c)(3) and Cal. Gov't Code § 12652(f)(l);
5. The United States and the State of California may order any deposition transcript(s)

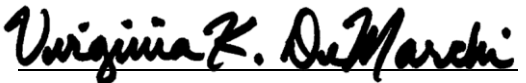
1 and may seek to intervene in this action for good cause at any time; and

2           6.       Should the relator or defendants propose that this action be dismissed, settled, or  
3 otherwise discontinued, the Court will provide the United States and State of California with an  
4 opportunity to be heard before ruling or granting approval, in accordance with 31 U.S.C.  
5 § 3703(b)(1) and Cal. Gov't Code § 12652(c)(1).

6           The United States and State of California request that all papers on file in this action before  
7 the date of this Order, other than those identified in paragraph 1 above, remain under seal. The  
8 only justification they provide for this request is that "in discussing the content and extent of the  
9 United States' and the State of California's investigations, such papers are provided by law to this  
10 Court alone for the sole purpose of evaluating whether the seal and time for making an election to  
11 intervene should be extended." Dkt. No. 9 at 2. The Court denies the United States and State of  
12 California's request to seal Dkt. Nos. 2 through 8 on the basis of this generalized explanation. The  
13 remaining contents of the Court's file in this action shall be unsealed **30 days from the date of**  
14 **this Order**, unless the United States and/or the State of California move to seal those items in  
15 compliance with Civil Local Rule 79-5 and the Court grants that motion.

16           **IT IS SO ORDERED.**

17           Dated: April 14, 2020

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20           VIRGINIA K. DEMARCHI  
21           United States Magistrate Judge  
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